

EXHIBIT 1
WAY MEDIA, INC.
TECHNICAL AND LPFM PRECLUSION STATEMENT

NEW TRANSLATOR – BAYSHORE GARDENS, FL FACID 140537

FCC FORM 349

This Technical Statement is in support of an amendment to an FCC form 349 Auction 83 Short Form Application BNPFT-20030311AFK filed by WAY Media, Inc. (“WAY”) for a new FM translator station to serve Bayshore Gardens, FL. This amendment will demonstrate Non-Preclusion of LPFM channels by the technical data noted herein and in the “Tech Box” in Section III-A. This amendment specifies the technical parameters at a different location that originally requested for a new translator on Channel 229-D at Bayshore Gardens, FL in order to meet LPFM preclusions.

PRIMARY STATION:

The proposed translator facility will rebroadcast station WSRZ-FM, Coral Cove, FL, FACID 48673 owned by Citicasters Licenses, LLC and will be re-classified as a fill-in facility for the primary station. WAY has received permission from Citicasters Licenses, LLC to rebroadcast the station on the translator facility.

TECHNICAL PARAMETERS:

The technical parameters specified in Section III-A “Tech Box” are the different from those originally specified in the 2003 short-form filing. The proposed location is 13.69 km from the original filing and at a different height above average terrain and effective radiated power.

The amended proposed 60dBu (50,50) contour overlaps 5.17% of the originally proposed 60dBu (50,50) contour, therefore the proposed technical changes meet the minor-change requirements of 47CFR Section 74.1233(a).

LPFM CONSIDERATION:

The original 2003 short-form filing was located in Manatee County, FL which is part of the Sarasota-Bradenton Arbitron Market #76, a Spectrum Available designated market, but was also located within 39km of the Tampa-Saint Petersburg-Clearwater FL Market Grid.

The proposed facility is located in Sarasota County, FL which is a part of the Sarasota-Bradenton Arbitron Market #76, a Spectrum Available designated market but is no longer within 39km of the Tampa-Saint Petersburg-Clearwater FL Market Grid. As such, protection to that Market Grid is not required. This modification does not create any mutual exclusivity with any other outstanding Auction 83 application, nor does it move the facility within 39km of any other market grid.

A map of both Market Grids and the proposed location is demonstrated in Attachment #1, showing the proposed location is located 40.1km from the Tampa-Saint Petersburg-Clearwater FL Market Grid. Utilizing the chart in 47CFR 73.211(b)(3) to determine LPFM protection distance based on the predicted distance to the 60dBu Contour, this 39km protection is the maximum possible co-channel protection for the translator to any LPFM channel/point.

The Proposed location is within the protected Grid of the Sarasota-Bradenton, FL Market and can potentially affect protected Channel/point combinations in that grid on LPFM Channels 227, 228, 229, 230 and 231.

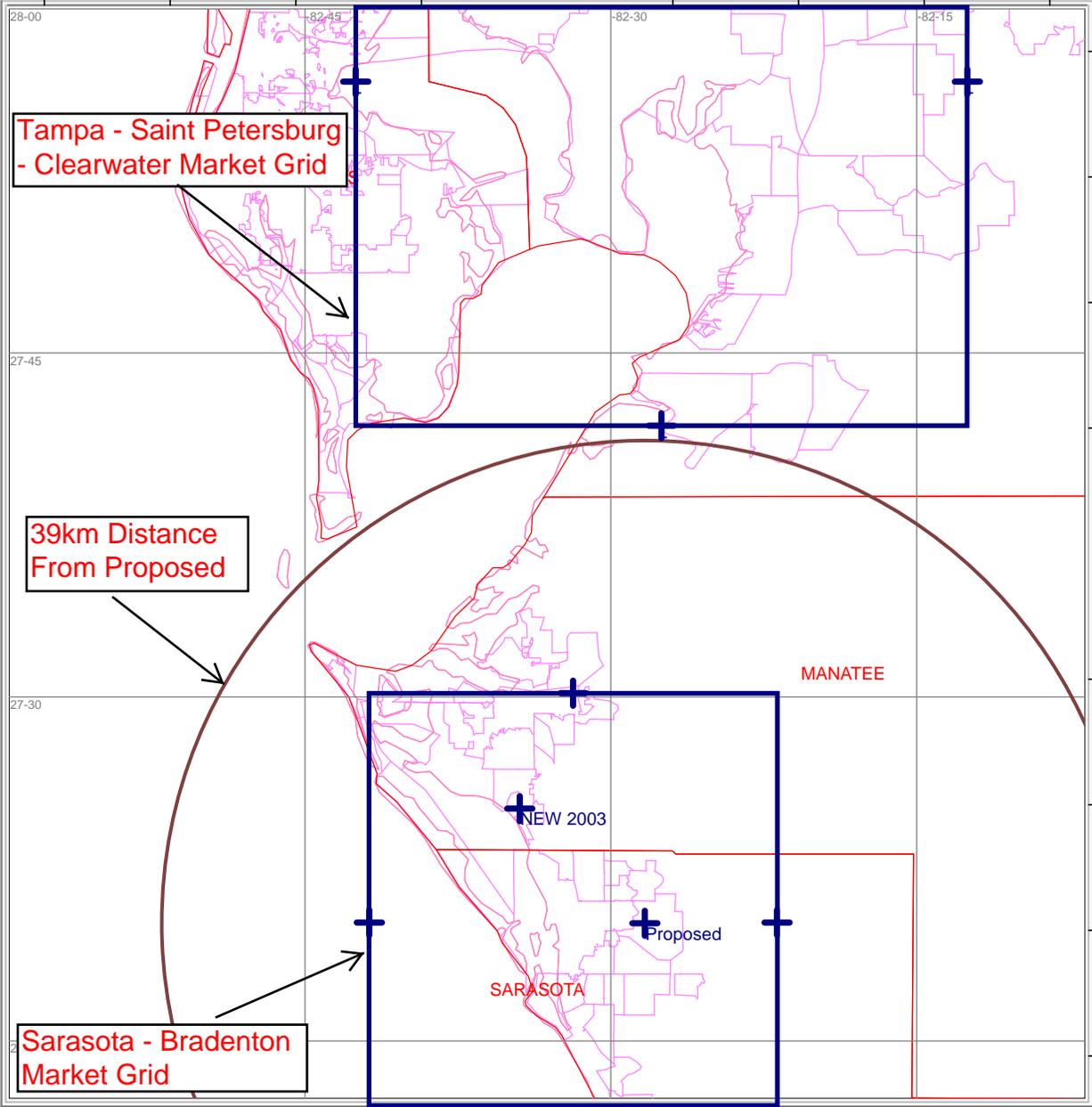
The output of the FCC Grid Tool for the Sarasota-Bradenton market using the reference coordinates provided demonstrates that there are no protected LPFM channel/points in the entire market for Channels 227, 228, 229, 230 and 231:

Chan	Avail	Chan	Avail	Chan	Avail	Chan	Avail	Chan	Avail
200	0	220	0	240	0	260	0	280	0
201	0	221	0	241	15	261	10	281	0
202	0	222	0	242	82	262	0	282	0
203	0	223	0	243	4	263	0	283	0
204	0	224	0	244	0	264	0	284	0
205	0	225	0	245	0	265	0	285	0
206	0	226	0	246	0	266	0	286	0
207	0	227	0	247	9	267	0	287	37
208	0	228	0	248	121	268	0	288	0
209	0	229	0	249	0	269	0	289	0
210	0	230	0	250	0	270	0	290	0
211	0	231	0	251	0	271	0	291	0
212	0	232	0	252	143	272	0	292	0
213	0	233	0	253	20	273	0	293	0
214	0	234	0	254	0	274	0	294	0
215	0	235	0	255	0	275	0	295	0
216	0	236	0	256	16	276	0	296	2
217	0	237	0	257	0	277	0	297	0
218	0	238	0	258	0	278	0	298	0
219	0	239	0	259	0	279	0	299	0
								300	0

Total	459								

In summary, it was determined that the new proposed operation at Bayshore Gardens, FL on Channel 229-D can meet the technical requirements under current FCC rules.

Attachment #1
WAY Media, Inc
LPFM Market Grid Map



km

County Borders State Borders City Borders Lat/Lon Grid

Map Scale: 1:533077 1 cm = 5.33 km V\H Size: 86.76 x 85.58 km